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I. THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Peter S. Linsley et al.  
Serial N.: 09/666,267  
Filed: September 21, 2000  
Docket: 30436.11US06  
Title: LIGAND FOR CD28 RECEPTOR ON B CELLS AND METHODS

CERTIFICATE UNDER 37 CFR 1.8

I hereby certify that this paper or fee is being deposited with the United States Postal as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on December 12, 2002.

By: Renato Marco P. Domingo  
Name: Renato Marco P. Domingo

55 S. Lake Avenue, Suite 710  
Pasadena, California 91101  
December 12, 2002

BOX SEQUENCE  
Assistant Commissioner for Patents  
Arlington, VA 22202

Sir:

We are transmitting herewith the attached:

- Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.8
- Communication in Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated December 2, 2002 (2 sheets)
- Exhibit 1 – Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (1 sheet)
- Exhibit 2 – Computer readable form and paper copy of Sequence Listing and Declaration Under 37 C.F.R. §1.821(f) (5 sheets)
- Return postcard

Please charge any additional fees or credit overpayment to Deposit Account No. 50-0306. A duplicate of this sheet is enclosed.

M A N D E L & A D R I A N O  
55 S. Lake Avenue, Suite 710  
Pasadena, California 91101  
(626) 395-7801

By: Sarah B. Adriano  
Name: Sarah B. Adriano  
Reg. No.: 34,470  
Customer No.: 26,941

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DKT. 30436.11US06/SBA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**Applicants** : Peter S. Linsley et al.

DEC 27 2002

**Serial No** : 09/666,267

TECH CENTER 1600/2900

**Filed** : September 21, 2000

**For** : LIGAND FOR CD28 RECEPTOR ON B CELLS AND  
METHODS

55 S. Lake Avenue, Suite 710  
Pasadena, California 91101  
December 12, 2002

Assistant Commissioner for Patents  
Box Sequence  
Arlington, VA 22202

SIR:

**DECLARATION PURSUANT TO 37 C.F.R. §1.821(f)**

I hereby declare that the content of the paper and computer readable copies of the Sequence Listings, submitted in the subject patent application in accordance with 37 C.F.R. §1.821(c) and (e), respectively, are the same. The sequence listing contains no new matter pursuant to 37 C.F.R. 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d), and is supported by the specification as originally filed.

Respectfully submitted,

*Renato Marco P.*

Renato Marco P. Domingo

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Gorga  
5/6/03

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**Applicants** : Peter S. Linsley et al.  
**Serial No** : 09/666,267  
**Filed** : September 21, 2000  
**For** : LIGAND FOR CD28 RECEPTOR ON B CELLS AND  
METHODS

DEC 27 2002

TECH CENTER 1600/25

55 S. Lake Avenue, Suite 710  
Pasadena, California 91101  
December 12, 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box Sequence

SIR:

**COMMUNICATION IN RESPONSE TO NOTICE TO  
COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID  
SEQUENCE DISCLOSURES DATED DECEMBER 2, 2002**

This Communication is submitted in response to the Notice to Comply with Requirements for Patent Application Containing Nucleotide Sequences and/or Amino Acid Sequence Disclosures issued in connection with the above-identified application on December 2, 2002. In accordance with the Notice, the deadline for submitting the Sequence Listing is due on January 2, 2003. Accordingly, this response is being timely filed. A copy of the above-referenced Notice is submitted herein as Exhibit 1.

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Peter S. Linsley et al.  
U.S. Serial No. 09/666,267  
Filed: September 21, 2000  
Page 2

In the Notice, the Patent Office states “[t]he disk submitted 9/21/02 was damaged.” Applicants submit herein a substitute Sequence Listing in computer-readable form and paper copy and a Declaration under 37 C.F.R. §1.821(f) stating that the computer-readable form of the Sequence Listing is identical to the paper copy (attached herewith as Exhibit 2). The substitute Sequence Listing contains no new matter and is supported by the specification as originally filed. Accordingly, its entry is respectfully requested.

No fee is deemed necessary in connection with the filing of this response. However, if any additional fee is required, Applicants hereby authorize the Patent Office to charge the amount of any such fee to Deposit Account No. 50-0306.

Respectfully submitted,



Sarah B. Adriano  
Reg. No. 34,470  
SaraLynn Mandel  
Reg. No. 31,853  
Attorney for Applicants  
Mandel & Adriano  
55 S. Lake Avenue, Suite 710  
Pasadena, California 91101  
(626) 395-7801  
Customer No. 26,941



# EXHIBIT 1

U.S. Serial No. 09/666,267

Copy of Notice to Comply with  
Requirements for Patent Applications  
Containing Nucleotide and/or Amino  
Acid Sequence Disclosures

## NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

DEC 19 2002

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):



1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.



2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).



3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).



4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."



5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).



6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).



7.

Other: \_\_\_\_\_

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Applicant must provide:

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An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"



An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification



A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123

For CRF submission help, call (703) 308-4212

For PatentIn software help, call (703) 557-0400

Please return a copy of this notice with your response.

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# EXHIBIT 2

U.S. Serial No. 09/666,267

Paper Copy of Sequence Listing and  
Declaration Pursuant to 37 C.F.R.

§1.821(f)



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SEQUENCE LISTING

TECH CENTER 1600/2900

<110> Brady, William  
Linsley, Peter S.  
Ledbetter, Jeffrey A.  
Damle, Nitin K.

<120> LIGAND FOR CD28 RECEPTOR ON B CELLS AND METHODS

<130> ON00650 Div 1/30436.11US06

<140> 09/666,267  
<141> 2000-09-21

<150> 07/498,949  
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<301> Gordon J. Freeman, Arnold S. Freedman, Jeffrey M. Segil, Grace Lee, James F. Whitman and Lee M. Nadler  
<302> B7, A NEW MEMBER OF THE Ig SUPERFAMILY WITH UNIQUE EXPRESSION ON ACTIVATED AND NEOPLASTIC B CELLS  
<303> J. Immunol.  
<304> 143  
<305> 8  
<306> 2714 TO 2722  
<307> 1989-10-15  
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35 40 45

Thr Met Met Ser Gly Asp Met Asn Ile Trp Pro Glu Tyr Lys Asn Arg  
50 55 60

Thr Ile Phe Asp Ile Thr Asn Asn Leu Ser Ile Val Ile Leu Ala Leu  
65 70 75 80

Arg Pro Ser Asp Glu Gly Thr Tyr Glu Cys Val Val Leu Lys Tyr Glu  
85 90 95

Lys Asp Ala Phe Lys Arg Glu His Leu Ala Glu Val Thr Leu Ser Val  
100 105 110

Lys Ala Asp Phe Pro Thr Pro Ser Ile Ser Asp Phe Glu Ile Pro Thr  
115 120 125

Ser Asn Ile Arg Arg Ile Ile Cys Ser Thr Ser Gly Gly Phe Pro Glu  
130 135 140

Pro His Leu Ser Trp Leu Glu Asn Gly Glu Glu Leu Asn Ala Ile Asn  
145 150 155 160

Thr Thr Val Ser Gln Asp Pro Glu Thr Glu Leu Tyr Ala Val Ser Ser  
165 170 175

Lys Leu Asp Phe Asn Met Thr Thr Asn His Ser Phe Met Cys Leu Ile  
180 185 190

Lys Tyr Gly His Leu Arg Val Asn Gln Thr Phe Asn Trp Asn Thr Thr  
195 200 205

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*Sub  
BY*

210

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